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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/777,253	02/05/2001	Benjamin E. Felts III	01CON201P	2358
25700	7590	09/07/2004	EXAMINER	
FARJAMI & FARJAMI LLP 26522 LA ALAMEDA AVENUE, SUITE 360 MISSION VIEJO, CA 92691			YENKE, BRIAN P	
			ART UNIT	PAPER NUMBER
			2614	2

DATE MAILED: 09/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/777,253

Applicant(s)

FELTS ET AL.

Examiner

BRIAN P. YENKE

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-60 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-60 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on 05 February 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

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DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-60 are rejected under 35 U.S.C. 103(a) as being unpatentable over applicant's admitted prior art (AAPA).

In considering claims 1, 3-4, 34-41, 43, 46-48, 50-52 and 57-58

a) the claimed a HDTV timing generator...is met by ASIC 112 which receives a Hsync and Vsync signal and output which generates (the claimed HD level signal) sync signal 120 and control signal 118 (both analog).

b) the claimed DAC interface is met by multiplexers 138,140 and 142 which receive signals from DAC 132/134 and 136.

However, AAPA does not disclose a digital HD level signal nor the connection as claimed (output of DAC interface coupled to a DAC).

AAPA includes a DAC 122 in ASIC 112, which performs conversion of the digital signal to analog prior to receipt of the mux's 138/140/142. The conversion of a signal to analog or digital is a design choice and the omission or inclusion of signal converters is not a patentable feature unless some unexpected results were derived.

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Also, the shifting of location of parts is considered to be an obvious modification to one of ordinary skill in the art (*In Re Japikse*, 181 F.2d 1019, 1023, 86 USPQ 70, 73 (CCPA 1950), where the DAC 122 may be included in to video encoder 130, where the output of DAC 122 (whether included in the encoder or outside) would provide the same results (i.e. an analog signal to the multiplexers).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify AAPA, which discloses the reception of various outputs which are then displayed on a HDTV display by controlling the timing of the signals and performing the digital to analog conversion in the encoder or outside the encoder based upon the designers needs/specifications, providing the designer the option/latitude of various designs which perform the same function/result.

In considering claim 2, 42

AAPA (Fig 1) discloses the output of the DAC is coupled to the HDTV monitor 144 via mux's 138/140 and 142.

In considering claims 5, 7, 8-9, 49

As stated above with respect to claim 1, the shifting the location of parts, (i.e. digital mux before DAC, or analog mux after DAC) is considered an obvious modification to one of ordinary skill in the art, since they perform the same result, without any unexpected results.

In considering claim 6, 44-45 and 59-60,

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The AAPA (pages 1-10), discloses the reception of NTSC, PAL and SECAM data.

In considering claims 10-11, 53-54

AAPA discloses the reception of NTSC, PAL and SECAM data. However, AAPA does not specifically disclose the a SCART format data input.

The use of a SCART input/connector is notoriously well known in the art, where a SCART connector is used to connect various entertainment devices, and thus connect the signal to/derived from the device.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify AAPA which discloses the reception of a variety of input signal which are converted onto an HDTV display, by also allowing the user the ability to receive signals from other external devices which are connected via a SCART connector, thus providing the user the option of viewing all available signals on the HDTV display.

In considering claims 12-16, 56

AAPA discloses a system 100, where the applicant's invention is the same as Fig 1, without the use of DAC 122, analog mux's and their connections.

In considering claims 17-33,

AAPA discloses that all the claimed subject matter, see AAPA page 1-10.

The examiner has rejected the above claims, given their broadest interpretation and based upon the AAPA disclosure pertaining to prior art and the

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applicant's invention. In the event the applicant disagrees/has any questions, the applicant may call the examiner to clarify any issues.

Conclusion

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure—see newly cited references on attached form PTO-892.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian Yenke whose telephone number is (703) 305-9871. The examiner work schedule is Monday-Thursday, 0730-1830 hrs.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's Supervisor, John W. Miller, can be reached at (703)305-4795.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist). Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is

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(703)305-HELP.

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800-PTO-9199 or 703-308-HELP

(FAX) 703-305-7786

(TDD) 703-305-7785

An automated message system is available 7 days a week, 24 hours a day providing informational responses to frequently asked questions and the ability to order certain documents. Customer service representatives are available to answer questions, send materials or connect customers with other offices of the USPTO from 8:30 a.m. - 8:00p.m. EST/EDT, Monday-Friday excluding federal holidays.

For other technical patent information needs, the Patent Assistance Center can be reached through customer service representatives at the above numbers, Monday through Friday (except federal holidays) from 8:30 a.m. to 5:00 p.m. EST/EDT.

General information brochures can also be obtained in person from the Patent Search Room located in Crystal Plaza 3, Room 1A03, 2021 South Clark Place, Arlington, VA 22202.

The Patent Electronic Business Center (EBC) allows USPTO customers to retrieve data, check the status of pending actions, and

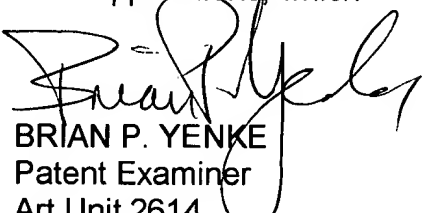
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submit information and applications. The tools currently available in the Patent EBC are Patent Application Information Retrieval (PAIR) and the Electronic Filing System (EFS).

PAIR (<http://pair.uspto.gov>) provides customers direct secure access to their own patent application status information, as well as to general patent information publicly available. EFS allows customers to electronically file patent application documents securely via the Internet. EFS is a system for submitting new utility patent applications and pre-grant publication submissions in electronic publication-ready form. EFS includes software to help customers prepare submissions in extensible Markup Language (XML) format and to assemble the various parts of the application as an electronic submission package. EFS also allows the submission of Computer Readable Format (CRF) sequence listings for pending biotechnology patent applications, which were filed in paper form.


B.P.Y.

05 September 2004


BRIAN P. YENKE
Patent Examiner
Art Unit 2614